

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA	§	
v.	§	CIVIL ACTION NO. 9:06mc7
DAVID A. MOSIG	§	

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

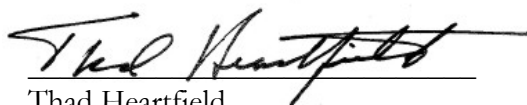
The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Plaintiff's Motion to Dismiss ([document #38](#)) be granted, that the Petition to Enforce IRS Summons be dismissed without prejudice and that the Motion for Contempt ([document #26](#)) be withdrawn pursuant to Petitioner's notice of withdrawal ([document #37](#)). No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that Plaintiff's Motion to Dismiss ([document #38](#)) is **GRANTED** and the Petition to Enforce IRS Summons is **DISMISSED** without prejudice. It is further

ORDERED that the Motion for Contempt ([document #26](#)) is **WITHDRAWN**. Any motion not previously ruled on is **DENIED**.

SIGNED this the 14 day of May, 2008.


Thad Heartfield
United States District Judge